



UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

ATTORNEY DOCKET NO. 10002667-1

Inventor(s): Raja Daoud, et al.

Confirmation No.: 6409

Application No.: 09/764,521

Examiner: Blaine T. Besom

Filing Date: 01/18/2001

Group Art Unit: 2173

Title: METHOD AND APPARATUS TO OPTIMIZE A COMPUTING SESSION BASED ON USER INTERACTION WITH A COMPUTER

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated March 30, 2004, rejecting the following claims 1-20.  
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$330.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

( ) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

( ) one month	\$110.00
( ) two months	\$420.00
( ) three months	\$950.00
( ) four months	\$1480.00

( ) The extension fee has already been filed in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$330.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: 09-30-2004

OR

( ) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number \_\_\_\_\_ on \_\_\_\_\_

Number of pages:

Typed Name: Gregory W. Osterloth

Signature:

Respectfully submitted,

Raja Daoud, et al.

By

Gregory W. Osterloth

Attorney/Agent for Applicant(s)

Reg. No. 36.232

Date: 09-30-2004

Telephone No.: (303) 291-3200

09764521  
03/02/2005 FBRISCODE 00000031 082025  
01 FC:1253 950.00 DA

09764521  
10/13/2004 FRIKIDEN 00000068 082025  
01 FC:1401 340.00 DA

Adjustment Date: 06/14/2005 SBIRETAL 09764521  
03/02/2005 FBRISCODE 00000031 082025  
01 FC:1253 950.00 CR

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Raja Daoud et al

Confirmation No.: 6409

Application No.: 09/764521

Examiner: Basom, Blaine T

Filing Date: Jan 18, 2001

Group Art Unit: 2173

Title: Method And Apparatus To Optimize A Computing Session Based On User Interaction With A Computer

Mail Stop 16  
Director of the US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

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REQUEST FOR REFUND  
IMPROPER CHARGE OF DEPOSIT ACCOUNT

Sir:

I. **REFUND REQUEST**

This is a request for a refund in the amount of \$950, with respect to the charge to Deposit Account No. 08-2025, shown on the statement dated \_\_\_\_\_ for the above identified patent application.

(X) A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

II. **FEES CHARGED FOR WHICH REFUND IS REQUESTED**  
1253 for \$950

III. **EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

A final rejection was mailed on 3/30/2005. Applicant filed a response after final rejection on May 28, 2004 within the two month deadline. When no advisory action was received by the 6 month deadline, Applicant filed a Notice of Appeal on September 30, 2004. Applicant later received an advisory action from the examiner which was mailed on 9/30/04. Since Applicant timely filed a response to the final rejection, timely filed a Notice of Appeal, and timely filed the appeal brief on 11/30/2005, no extension of time fees are necessary.

IV. **MANNER OF REFUND**

Please make refund of \$950 crediting Account No. 08-2025.

( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450  
Date of Deposit: \_\_\_\_\_

OR  
(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number on May 9, 2005 (703) 872-9306

Number of pages:

Typed Name: Donna M Kraft

Signature: Donna M Kraft

Respectfully submitted,

Raja Daoud et al

By T. Grant Ritz

T. Grant Ritz

Attorney/Agent for Applicant(s)  
Reg. No.: 39,819

Date: 5-9-5

Telephone No.: (970) 898-0697



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
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MONTHLY STATEMENT  
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To replenish your deposit account, detach and  
return top portion with your check. Make check  
payable to Director of Patents & Trademarks.

HEWLETT-PACKARD COMPANY  
ATTN: MARIA CARROLL/CATHIE GROW  
INTELLECTUAL PROPERTY ADMINIS. M/S 35  
P.O. BOX 272400  
FT. COLLINS CO 80527-2400

FINA

Account No.	082025
Date	3-31-05
Page	4

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MAY 09 2005

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U. S. Patent and Trademark Office  
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Chicago, IL 60673

DATE POSTED MO. DAY YR.	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
3 2 05	2	09873687	10003826-1	1202	108.00	485864.40
3 2 05	2	09708774	10001258-1	1801	790.00	485074.40
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3 2 05	37	10403922		1814	130.00	871634.40
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3 2 05	38	10999739	200408000-1	1051	130.00	871374.40
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3 2 05	77	11066963	200404135-1	1201	400.00	868454.40
3 2 05	78	11066963	200404135-1	1202	1200.00	867254.40
3 2 05	89	10632508	200209918-1	1801	790.00	866464.40
3 2 05	100	10606463	2002080511	1806	180.00	866284.40

AN AMOUNT SUFFICIENT TO  
COVER ALL SERVICES REQUESTED  
MUST ALWAYS BE ON DEPOSIT

OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE

PAGE 2/5 \* RCVD AT 5/9/2005 11:35:48 AM [Eastern Daylight Time] \* SVR:USPTO-EFXXF-1/0 \* DNIS:8728306 \* CSID:970 898 7247 \* DURATION (mm:ss):01:34

DRAWN

RECEIVED IN RE: Confirmation No.: 6409

APPLICATION NO.: 09/764,521

APPLICANT(S): Raja Dheod, et al.

FILED: 00/12/2001

FOR: "METHOD AND APPARATUS TO OPTIMIZE A COMPUTING SESSION  
BASED ON USER INTERACTION WITH A COMPUTER"

GROUP: 2173

ITEMS ENCLOSED:

1. Certificate of Express Mail; 2. Transmittal Letter for Responses/Amendments (in duplicate); 3. Reply Under 37 CFR 1.116 - Expedited Procedure (3 pages); and 4. Post Office of the United States Patent and Trademark Office.

Express Mail Label No.: E1 564693214 US

Mailing Date: May 26, 2004  
(HP 1007567-UGWO)

Please place the official stamp of the Patent Office on this card and attach it to your files to constitute an acknowledgment by the Patent Office of receipt of the above-mentioned material on the date stamped.

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

## PATENT APPLICATION

ATTORNEY DOCKET NO. 10002867-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Raja Daoud, et al.

Confirmation No.: 8409

Application No.: 09/764,521

Examiner: Blaine T. Basom

Filing Date: 01/18/2001

Group Art Unit: 2173

Title: METHOD AND APPARATUS TO OPTIMIZE A COMPUTING SESSION BASED ON USER  
INTERACTION WITH A COMPUTER

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond  
☐ New fee as calculated below ☐ Supplemental Declaration  
☒ No additional fee  
☐ Other: \_\_\_\_\_ (fee \$ \_\_\_\_\_)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	20	MINUS	20	= 0	X \$18	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X \$86	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2026. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2026 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2026 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

"Express Mail" label no. B 864863216 US


Date of Deposit 05-26-2004

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By   
Typed Name: Gregory W. Osterloth

Respectfully submitted,

Raja Daoud, et al.

By   
Gregory W. Osterloth  
Attorney/Agent for Applicant(s)  
Reg. No. 36,232

Date: 05-26-2004

Re: 06/04 (Transmittal)

- Attach as First Page to Transmitted Papers -

Telephone No.: (303) 291-3200